

IN RE: PETITION FOR ZONING VARIANCE
S/S North Point Creek Rd. 30' W
of the c/l of Lodge Forest Dr.
(2132 Lodge Forest Drive)
15th Election District
7th Councilmanic District
Robert F. Bolling, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 91-22-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a front yard setback of 12 feet in lieu of the minimum required 25 feet and a rear yard setback of 10 feet in lieu of the required 30 feet for a proposed dwelling in accordance with Petitioner's Exhibit 1.

The Petitioners, by Keith A. Randlett, Contract Purchaser, appeared, testified and were represented by Michael Marino, Esquire. There were no Protestants.

Testimony indicated that the subject property, known as 2132 Lodge Forest Drive, consists of .184 acres zoned D.R. 5.5 and is presently unimproved. Said property is located within the Chesapeake Bay Critical Areas near North Point Creek. Petitioners are desirous of constructing a single family dwelling on the subject property consistent with the character of the surrounding community. Testimony indicated that the subject property is the last corner lot in the Lodge Forest subdivision which was recorded many years ago with 50-foot wide lots. Petitioner testified that in order to construct a dwelling of adequate size to accommodate his family, the requested variances are necessary to front and rear yard setback requirements. Testimony indicated Petitioners' immediate neighbors have no objections to the relief requested and that to deny the variances will

create practical difficulty and hardship for the Petitioners without any benefit to the community.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. Clearly, the request is not based upon conditions or circumstances which are the result of the Petitioner's actions, nor does the request arise from a condition relating to land or building use, either permitted or non-conforming, on another property. The relief requested is in harmony with the general spirit and intent of

the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 25th day of September, 1990 that the Petition for Zoning Variance to permit a front yard setback of 12 feet in lieu of the minimum required 25 feet and a rear yard setback of 10 feet in lieu of the

required 30 feet for a proposed dwelling in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management, as set forth in their comments dated September 10, 1990, attached hereto and made a part hereof.

JRH:bjs

J. Robert Haines
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING

Date 9/25/90
By Keith A. Randlett

ORDER RECEIVED FOR FILING

Date 9/25/90
By Keith A. Randlett

ORDER RECEIVED FOR FILING

Date 9/25/90
By Keith A. Randlett

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

September 25, 1990



Michael Marino, Esquire
10 East Baltimore Street, Suite 1212
Baltimore, Maryland 21202

RE: PETITION FOR ZONING VARIANCE
S/S North Point Creek Road, 30' W of the c/l of Lodge Forest Drive
(2132 Lodge Forest Drive)
15th Election District - 7th Councilmanic District
Robert F. Bolling, et ux - Petitioners
Case No. 91-22-A

Dear Mr. Marino:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: People's Counsel

File

Chesapeake Bay Critical Areas Commission
Tawes State Office Building, D-4, Annapolis, Md. 21404

DEPREM

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1B02.3.C.1. To permit a 12 ft. front yard setback and a 10 ft. rear yard setback in lieu of the minimum 25 ft. and 30 ft., respectively.

The single family dwelling is 48 ft. long which provides for side yard setbacks and is in accordance with Baltimore County Code. Subject property and entire subdivision is residential and without requested variance, subject property is not capable of being developed, thereby creating practical difficulty or hardship with regard to developability.

The granting of this variance will not result in injury to public health, safety, or welfare.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertisement, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

KEITH A. RANDLETT
(Type or Print Name)
Signature

5802 HAMMILL AVE
Address
BALTO MD 21237
City and State

Attorney for Petitioner:

(Type or Print Name)
Signature

Address
City and State

Attorney's Telephone No.:

Address BALTO MD 21237 Phone No.

Legal Owner(s):

ROBERT FRANK BOLLING
(Type or Print Name)
Signature

JEAN YVONNE BOLLING
(Type or Print Name)
Signature

2132 LODGE FOREST RD 4725129
Address Phone No.

CATLAMORE, MARYLAND 21019
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
KEITH A. RANDLETT
Name

5802 HAMMILL AVE 866-5923
Address BALTO MD 21237 Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 27 day

of June 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 13 day of Sept, 1990, at 2 o'clock

P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

(over)

ORDER RECEIVED FOR FILING

Date 9/14/90
By Keith A. Randlett

ORDER RECEIVED FOR FILING

Date 9/25/90
By Keith A. Randlett

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15th
Posted for: Variance
Petitioner: Robert Frank Bolling, et ux Keith A. Randlett
Location of property: S/S North Point Creek Rd., 30' W of the c/l of Lodge Forest Dr.
Location of Sign: 2132 Lodge Forest Dr., near S/S North Point Creek Rd.
Remarks: Property of J. Robert Haines
Posted by: J. Robert Haines
Number of Signs: 1
Date of Posting: 9/26/90
Date of return: 9/31/90

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number
No 2742

Date

6/13/90 H9000442

PUBLIC HEARING FEES QTY PRICE

100 - 4.00 400.00

TOTAL: \$500.00

LAST NAME OF OWNER: BOLLING

Cashier Validation:

B 155*****3500: 3145F

Please make checks payable to: Baltimore County

Cashier Validation:

Cashier Validation:

Cashier Validation:

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Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance
CASE NUMBER: 91-22-A
5/5 North Point Creek Road, 30' W c/l Lodge Forest Drive (Lot #1044)
15th Election District - 7th Councilmanic
Legal Owner(s): Robert Frank Bolling, et ux
Contract Purchaser(s): Keith A. Randlett
HEARING: THURSDAY, SEPTEMBER 13, 1990 at 2:00 p.m.

Variance to permit a 12 ft. front yard setback and a 10 ft. rear yard setback in lieu of the minimum 25 ft. and 30 ft., respectively.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

4 N. Center Place
P.O. Box 8936
Dundalk, Md. 21222

August 9, 1990

THIS IS TO CERTIFY that the annexed advertisement of Balto., Co. Zoning Office - Notice of Hearing - P.O. #0106243, Reg. #N44297 - 85 lines \$42.50 was inserted in **The Dundalk Eagle** a weekly newspaper published in Baltimore County, Maryland, once a week successive weeks before the

for One successive weeks before the

10th day of August 1990; that is to say, the same was inserted in the issues of August 9, 1990.

Kimbel Publication, Inc.
per Publisher.

By *Kimbel Decker*

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

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15th Election District - 7th Councilmanic
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HEARING: THURSDAY, SEPTEMBER 13, 1990 at 2:00 p.m.

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J. ROBERT HAINES
Zoning Commissioner of Baltimore County

CERTIFICATE OF PUBLICATION

TOWSON, MD. 8/13, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in **THE JEFFERSONIAN**, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/8, 1990

THE JEFFERSONIAN,

S. Zeke Orlean
Publisher

P.O. 106242
\$ 44.84

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Date 9/13/90 M9100203

PUBLIC HEARING FEES	QTY	PRICE
080 - POSTING SIGNS / ADVERTISING : X		\$112.34
TOTAL:		\$112.34

LAST NAME OF OWNER: BOLLING

receipt
No 3395

04A04#0012MCHRD \$112.34
BA C002:18FMD9-13-90
NEXT BUSINESS DAY

Cashier Validation:

Please make checks payable to: Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

DATE 8-30-90

Mr. & Mrs. Robert Frank Bolling
2132 Lodge Forest Road
Baltimore, Maryland 21219

Mr. Keith A. Randlett
5902 Hamilton Avenue
Baltimore, Maryland 21237

Dennis F. Rasmussen
County Executive

re: Petition for Zoning Variance

CASE NUMBER: 91-22-A
5/5 North Point Creek Road, 30' W c/l Lodge Forest Drive
2132 Lodge Forest Drive (Lot #1044)
15th Election District - 7th Councilmanic
Legal Owner(s): Robert Frank Bolling, et ux
Contract Purchaser(s): Keith A. Randlett
HEARING: THURSDAY, SEPTEMBER 13, 1990 at 2:00 p.m.

Dear Petitioners:

Please be advised that \$ 112.34 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Note: We no longer own this property as of 7/31/90. Thanks.
Jim Bolling

Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

July 18, 1990

NOTICE OF HEARING

Dennis F. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance
CASE NUMBER: 91-22-A
5/5 North Point Creek Road, 30' W c/l Lodge Forest Drive
2132 Lodge Forest Drive (Lot #1044)
15th Election District - 7th Councilmanic
Legal Owner(s): Robert Frank Bolling, et ux
Contract Purchaser(s): Keith A. Randlett
HEARING: THURSDAY, SEPTEMBER 13, 1990 at 2:00 p.m.

Variance to permit a 12 ft. front yard setback and a 10 ft. rear yard setback in lieu of the minimum 25 ft. and 30 ft., respectively.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of Baltimore County

cc: Mr. & Mrs. Robert Frank Bolling
Mr. Keith A. Randlett

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

September 7, 1990

Mr. & Mrs. Robert F. Bolling
2132 Lodge Forest Road
Baltimore, MD 21219

Dennis F. Rasmussen
County Executive

RE: Item No. 442, Case No. 91-22-A
Petitioner: Robert F. Bolling, et ux
Petition for Zoning Variance

Dear Mr. & Mrs. Bolling:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Keith A. Randlett
5902 Hamilton Avenue
Baltimore, MD 21237

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

Dennis F. Rasmussen
County Executive

Your petition has been received and accepted for filing this 27th day of June, 1990.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Robert F. Bolling, et ux

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: July 19, 1990

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: James F. Seal, Item No. 1
James R. Gernhart, Jr., Item No. 3
William A. Jenkins, et al, Item No. 5
Richard M. Post, Item No. 7
Robert Lee Rodowski, Item No. 8
Seven Courts Development Partnership, et al, Item No. 9
Roger Scott Weinberg, Item No. 10
George MacDonald, Item No. 14
Olwyn Diamond, Item No. 419
Philip Diamond, Item No. 420
Mark K. Harvey, Item No. 439
Michael John Reddy, Item No. 440
David Seymour Allen, Item No. 441
Robert Frank Bolling, Item No. 442
Nicholas Stamatacos/Angelina Stamatacos, Item No. 444
Stephen B. Leese, Sr., Item No. 445
Harry R. Kleinhenn, Item No. 447
Alpha J. Davis, Jr. Item No. 448
Judith L. Early, Item No. 455
David Shlomo, Item No. 456
Kirk Riggs, Item No. 457
James Paskert, Item No. 458
James M. Burke, Item No. 459
John A. Meyers, Item No. 465

In reference to the above-mentioned cases, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-5500
(301) 887-4500

Paul H. Reincke
Chief

JUNE 28, 1990

Dennis F. Rasmussen
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: ROBERT FRANK BOLLING
Location: #2132 LODGE FOREST DRIVE
Item No.: 442 Zoning Agenda: JULY 3, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy. CHAPTER 22

REVIEWER: *Pat Keller* Noted and Approved
Planning Group
Special Inspection Division

JK/KEK

JL 05 990

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: July 13, 1990
FROM: Robert W. Bowling, P.E.
RE: Zoning Advisory Committee Meeting
for July 3, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 439, 440, 442, and 445.

For Item 441, the shed in the easement cannot be on any permanent type foundation.

For Item 443, a County Review Group Meeting is required.

For Item 444, this site is subject to comments by the State Highway Administration.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:6

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE
JUNE 22, 1990

TO: J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT OF PERMITS & LICENSES
FROM: CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES
SUBJECT: ZONING ITEM #: 442
PROPERTY OWNER: Robert Frank Bolling, et ux
LOCATION: S/S N. Creek Rd, 30' W Centerline Lodge Forest Dr
ELECTION DISTRICT: 5th (#2132 Lodge Forest Dr)
COUNCILMANIC DISTRICT: 7th

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

- () PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.
 - () PARKING LOCATION () RAMPS (degree slope)
 - () NUMBER PARKING SPACES () CURB CUTS
 - () BUILDING ACCESS () SIGNAGE
 - () PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.
 - (X) A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.
 - () A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.
 - (X) STRUCTURE SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).
 - () OTHER -
- PERMITS MAY BE APPLIED FOR 8 ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.
- THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN. A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

CHECK ITEM APPLICABLE TO THIS PLAN

EFFECTIVE: January 29, 1989

SECTION: 516.0 CONSTRUCTION IN AREAS SUBJECT TO FLOODING

516.1 AREAS SUBJECT TO INUNDATION BY TIDEWATERS:

1. Whenever building or additions are constructed in areas subject to inundation by tides, the building's lowest floor (including basement) shall be not lower than one (1) foot above the Federal Flood Elevation, as established by the U.S. Army Corps of Engineers or the Federal Flood Insurance Study, whichever is more restrictive. These buildings or additions shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of the structure with materials resistant to flood damage.

Areas beneath buildings will not be considered as basements if headroom to underside of floor joists is less than six feet or if enclosure walls are at least 50 percent open.

Exception: Residential Storage Buildings 300 square feet or less.

2. Crawl spaces under buildings constructed in the tidal plain, as determined by the U.S. Army Corps of Engineers or the Federal Flood Insurance Study, whichever is more restrictive, shall be constructed so that water will pass through without resulting debris causing damage to the improvements of any property.

3. New or replacement utility systems, including but not limited to water supply, sanitary sewage, electric gas and oil, must be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and require on-site waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

516.2 RIVERINE AREAS SUBJECT TO INUNDATION BY SURFACE WATERS WITHIN THE 100 YEAR FLOOD PLAIN:

1. No structures or additions shall be within the 100-year flood plain of any watercourse. The 100-year flood plain shall be based upon the Federal Flood Insurance Study or the Department of Public Works, whichever is the more restrictive. This determination shall include planned future development of the watershed area.

Exception: Buildings in areas designated as "FRINGE" areas by the Department of Public Works.

2. Reconstruction of residential dwelling units shall be governed by Sections 103.0 or 120.0 as applicable, except that rebuilding of residential dwelling units damaged in excess of 50 percent of physical value shall also be governed by the provisions of Subsection 516.1 of this Section.

3. Reconstruction of other than residential buildings or structures in the riverine areas shall be made to conform to 516.1 when damage exceeds 50 percent of physical value.

January 1989

BALTIMORE COUNTY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. J. Robert Haines
Zoning Commissioner
DATE: September 10, 1990

FROM: Mr. Robert W. Sheesley

SUBJECT: Petition for Zoning Variance - Item 442
Bolling Property
Chesapeake Bay Critical Area Findings

RECEIVED
SEP 21 1990
ZONING OFFICE

SITE LOCATION

The subject property is located at 2132 Lodge Forest Drive. The site is within the Chesapeake Bay Critical Area and is classified as a Limited Development Area (LDA).

APPLICANT'S NAME Mr. Robert Bolling

APPLICANT PROPOSAL

The applicant has requested a variance from section 1802.3.C.1 of the Baltimore County Zoning Regulations to permit a 12 foot front yard setback and a 10 foot rear yard setback in lieu of the required minimum 25 feet and 30 feet, respectively.

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts." COMAR 14.15.10.01.D

Memo to Mr. J. Robert Haines
September 10, 1990
Page 3

5. Regulation: "The stormwater management system shall be designed so that:

- (1) Development will not cause downstream property, watercourses, channels or conduits to receive stormwater runoff at a higher rate than would have resulted from a ten year frequency storm if the land had remained in its predevelopment state;
- (2) Infiltration of water is maximized throughout the site, rather than directing flow to single discharge points; and
- (3) Storm drain discharge points are decentralized to simulate the predevelopment hydrologic regime.

(4) There is sufficient storage capacity to achieve water quality goals of COMAR 14.15 and to eliminate all runoff caused by the development in excess of that which would have come from the site if it were in its predevelopment state" (Baltimore County Code, Section 22-217(h)).

Findings: In order to comply with the above regulation, rooftop runoff shall be directed through downspouts and into Dutch drains or seepage pits (see attached drainage information sheet). This will encourage maximum infiltration of stormwater and decrease the amount of runoff leaving the site.

CONCLUSION
The Zoning Variance shall be conditioned so the project proposal is in compliance with the Chesapeake Bay Critical Area Regulations and Findings listed above.

Upon compliance with Chesapeake Bay Critical Area Regulations, this project will be approved. If there are any questions, please contact Mr. David C. Flowers at 887-2904.

Robert W. Sheesley
Robert W. Sheesley, Director
Department of Environmental Protection
and Resource Management

RWS:NSS:ju
Attachment
cc: The Honorable Ronald B. Hickernell
The Honorable Norman W. Lauenstein
The Honorable Dale T. Volz
Mrs. Janice B. Outen
Mr. Robert Bolling

Chapter 4

Rainy Day Blues

How rain water moves over and through the ground is important to those of us who have experienced flooded basements, wet yards, or broken septic systems. Solving the problems associated with surface water runoff and poorly drained soil is also important to improving the health of the Chesapeake Bay.

Rain from roofs and driveways runs off, often eroding yards and destroying plants. Much of the soil washed off vacant lots and lawns is carried into streams and eventually reaches the Bay. This sediment smothers fish and shellfish. Nutrients, such as nitrogen and phosphorus from fertilizer in runoff, can cause excessive algae growth, using up oxygen needed by the Bay's aquatic life. This runoff may also contain pesticides, oil, antifreeze, and other substances toxic to life in the Bay.

Pollution also occurs when the soil is too wet to filter sewage outflow. Effluent can percolate into the groundwater without proper filtration, or it can rise to the surface and be carried into streams and drainage ways.

Dealing with Surface Runoff

On large tracts of land, controlling surface water flow (storm water management) is the developer's responsibility. There are inexpensive ways you can control excess runoff created by patios, driveways, sidewalks, and swimming pools. Whatever the soil drainage condition in your neighborhood, you can use swales, berms, and basins to control runoff on your property, reduce its speed, and increase the time over which the runoff is released. For example, land immediately adjacent to your house needs to have a

downhill slope so that water does not seep through the foundation. Once the water has been carried ten feet from the house, you should regrade the surface so that runoff is released gradually.

Where drainage is good or where infiltration devices are in use, you can regrade the land to create a basin which holds all runoff and allows it to infiltrate the soil over a longer period of time. The effectiveness of a basin depends on the soil's ability to absorb and filter the surface water. Soils with less than two feet of depth to bedrock or one foot of depth to a seasonally high water table soil having a high clay content or a clay hardpan beneath the surface, and low-lying soil that receives runoff from a large land area may not have sufficient infiltration capacity.

When you try to retain runoff in these situations, the soil will rapidly become saturated, and rainfall that should filter down through the soil will collect on the surface and either create health, safety, and use problems or move across the surface as excess runoff.

Be on the lookout for small wet patches in your yard. These wet spots mean that the soil around your house has settled and surface water is collecting on the ground. Plant growth is usually poor in these areas and erosion often occurs. Filling these pockets with topsoil and seeding them with grass will usually solve the problem by letting water flow on its natural path.

In some instances, you may be able to correct an existing wet soil problem by creating a system of berms and swales around your yard. When it's not feasible to avoid a wet area, you may be able to move it to a less used area of the yard (around shrubs or trees, for example) by installing a swale to carry the water across the yard. Plant the new

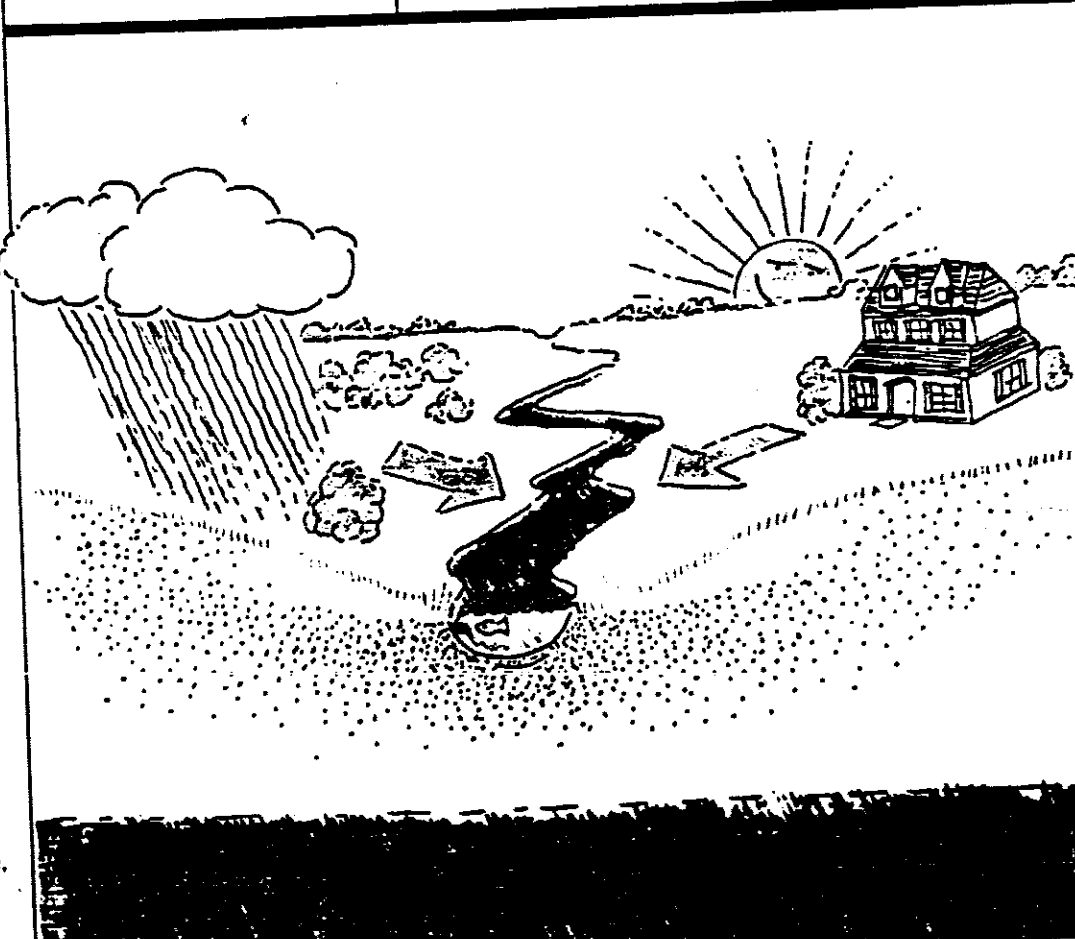
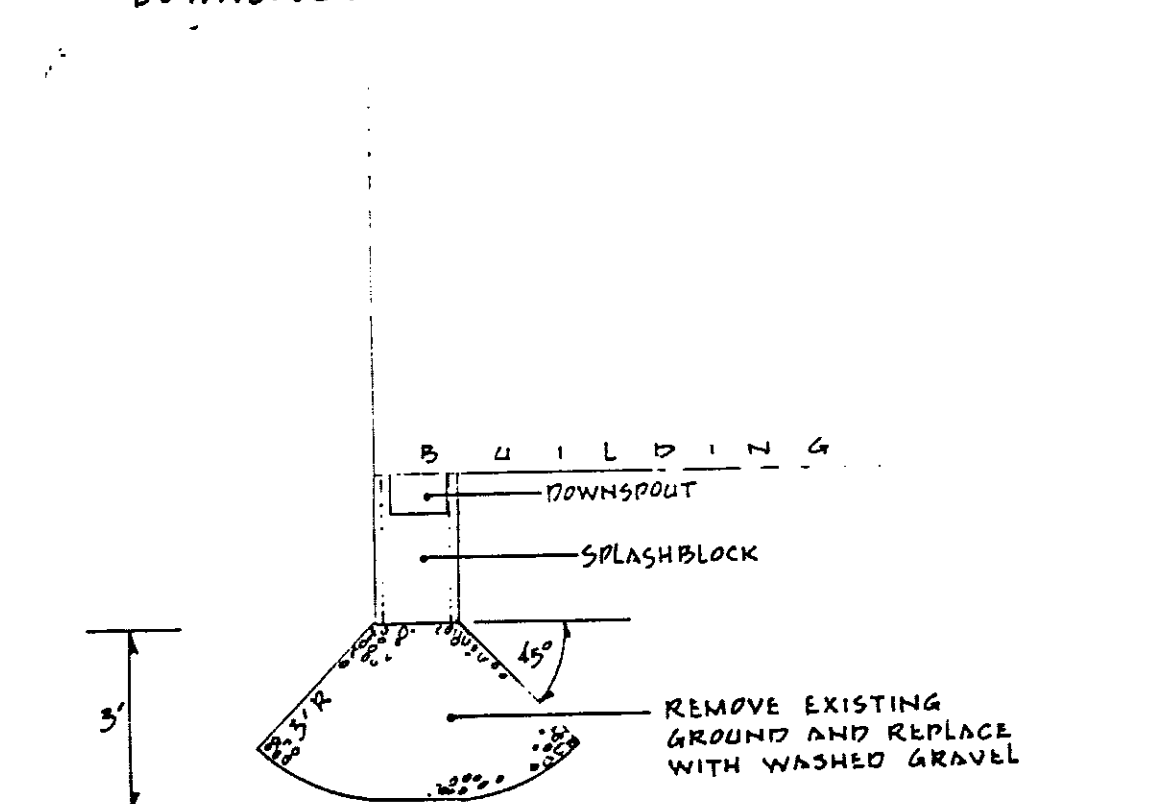
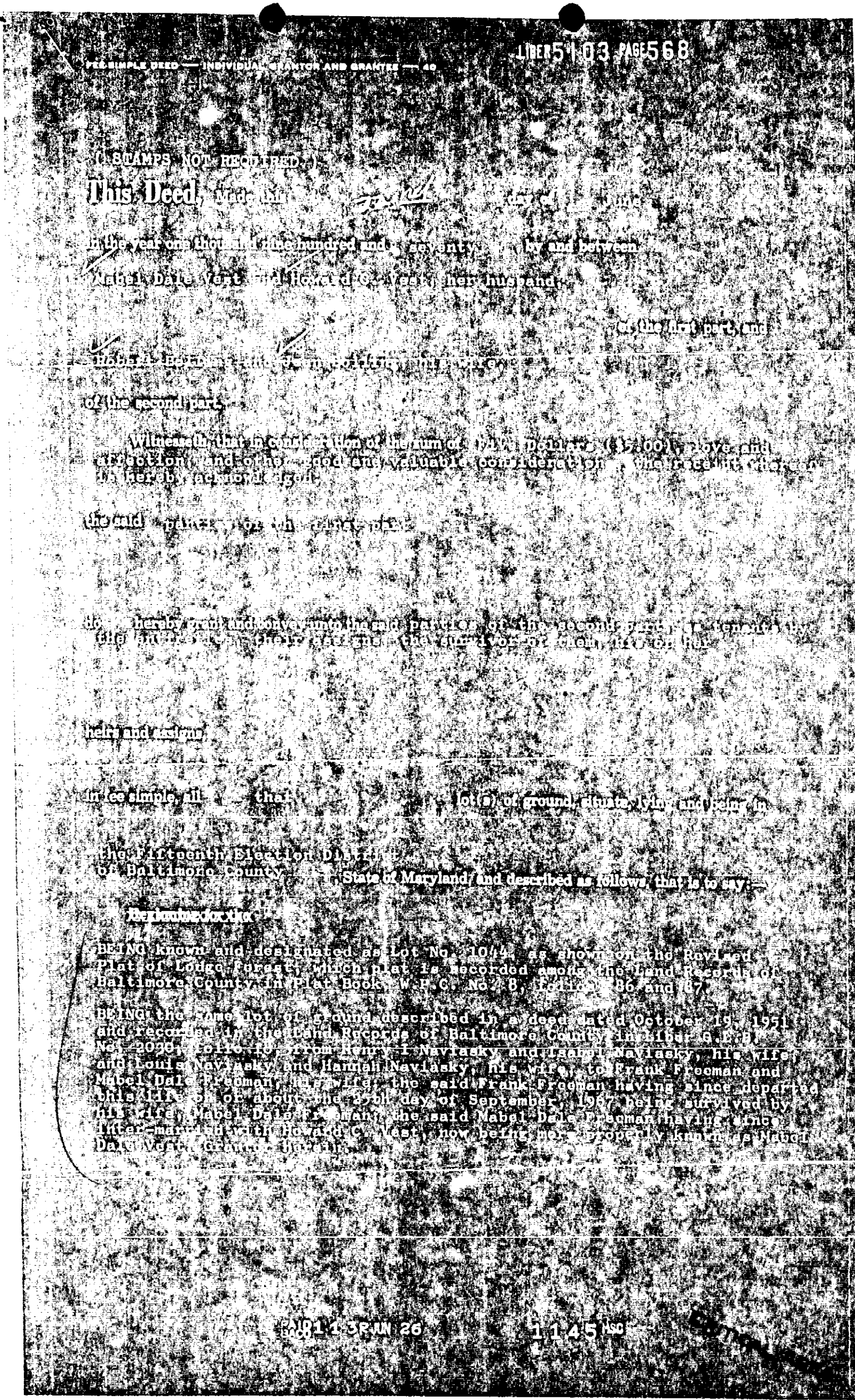
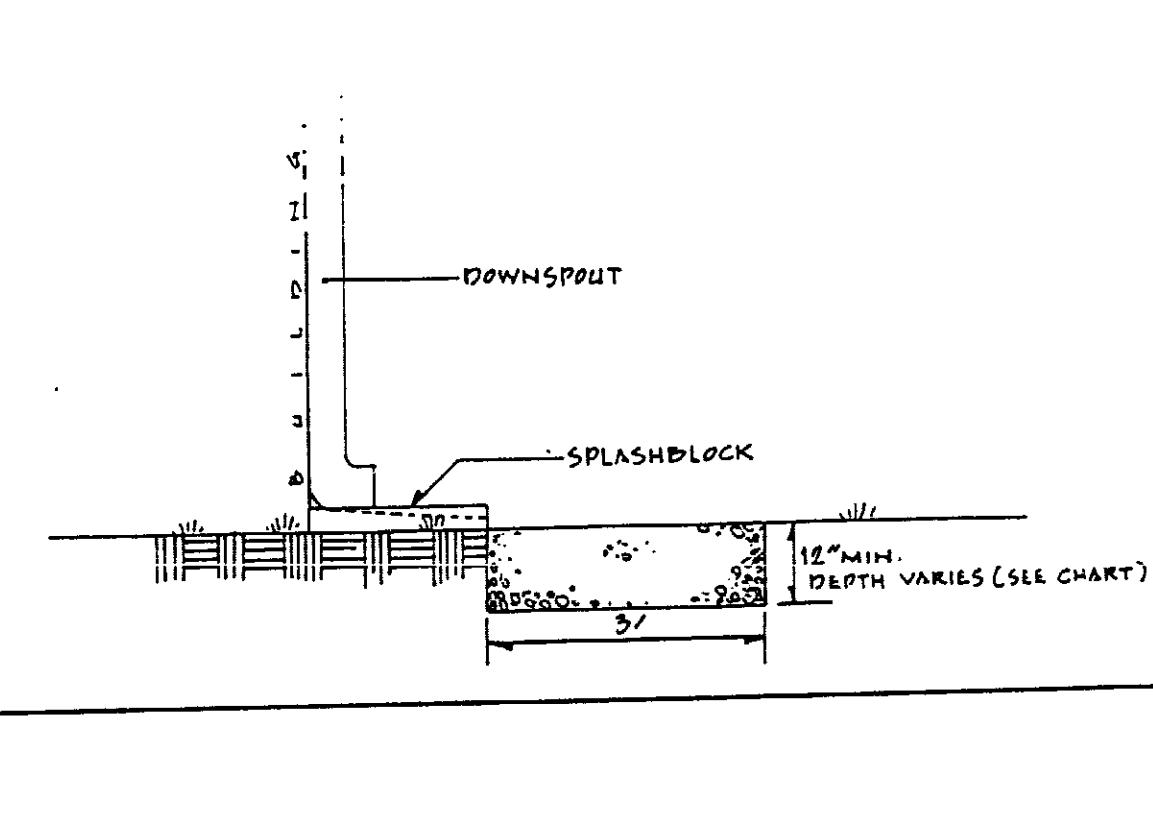


EXHIBIT B
DOWNSPOUT RETROFIT DETAIL - PLAN VIEW NTS



DOWNSPOUT RETROFIT DETAIL - PROFILE NTS



91-22-A

POINT

CRITICAL AREA

NORTH

SOUTH COVE

ROAD

D.R. 5.5

LODGE

PIERS

WALL

MILL

TALL OAKS

SE 71

442

Filed for Record
June, 28, 1937
Per: J. H. P. Clark

91-22-A

REVISED PLAT
LODGE FOREST
DEVELOPED BY
REALTY DEVELOPERS INC.
1320 N CHARLES ST
BALTIMORE, MD.
PHONE VERTON 1402

SURVEYED & LAYED OUT BY
J. SPENCE HOWARD
CIVIL ENGINEER
BALTIMORE, MD.
PLAT 1152
BOOK 1152

#442

CORNER AREA

W.P.C.-8-86

